

Customer No. 24024  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	St. Martin, et al.	)	Examiner: Keith O'Neal Robinson
		)	
Serial No.:	10/778,018	)	Art Unit: 1638
		)	
Filed:	February 12, 2004	)	Confirmation No.: 3349
		)	
For:	<b>IDENTIFICATION OF SOYBEANS HAVING RESISTANCE TO PHYTOPHTHORA SOJAE</b>	)	Attorney Docket No.: 22727/04212

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

**FOREIGN LANGUAGE DOCUMENTS**

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version of that portion of the Communication indicating the

INFORMATION DISCLOSURE STATEMENT

Attorney Docket No. 22727/04212

Appl. No. 10/778,018

degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

**CERTIFICATION AND FEE PAYMENT INFORMATION**

- ☒ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:
- ☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).
- ☒ The patent office is hereby authorized to charge the amount of \$180.00 and any related fee to **Deposit Account No. 030172**.
- ☒ **Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 03-0172.**

Respectfully submitted,

Date: September 5, 2006

By: /diane h. dobre/

Diane H. Dobrea, Reg. No. 48,578

Customer Number 24024

(614) 621-7788

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Substitute for form 1449/PTO				<b>Complete if known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICATION</b>				Application Number	10/778,018
				Filing Date	02/12/2004
				First Named Inventor	St. Martin, et al.
				Art Unit	1638
				Examiner's Name	Keith O'Neal Robinson
(Use as many sheets as necessary)				Attorney Docket Number	22727/04212
Sheet	1	of	1		

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		SHOEMAKER, R.C., Cregan, P.B., Vodkin, L., "Soybean Genomics" (2003), American Society of Agronomy Monograph Series. P. 235-255.	
		SONG, Q. J., et al., "A new integrated genetic linkage map of the soybean", <u>Theor Appl Genet</u> , (2004), Vol. # 109, P. 122-128.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**